

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION (DETROIT)

In re: Melissa Marie Martz,

Chapter 13  
Case No. 11-55938

Debtor(s).

Hon. Phillip J. Shefferly

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Melissa Marie Martz,

Adversary Proceeding  
No. 11-5766-PJS

Plaintiff,

v.

Bank of America,

Defendant.  
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**ORDER SCHEDULING HEARING ON MOTION FOR DEFAULT JUDGMENT**

On June 7, 2011, the Debtor filed this adversary proceeding seeking to strip the second lien of Bank of America on her personal residence. On July 8, 2011, the Clerk entered the default (docket entry no. 4) of Bank of America for failure to timely answer the complaint. On July 15, 2011, the Debtor filed a motion for default judgment. The Court has determined to schedule a hearing on the motion for default judgment pursuant to Fed. R. Bankr. P. 7055(b)(2) because the complaint is not accompanied by an appraisal, affidavit, or other exhibits that provide any support for the Debtor's allegation that the Debtor is entitled to strip the second mortgage lien. There simply is not sufficient factual support in the complaint to support the relief requested. Accordingly,

**IT IS HEREBY ORDERED** that a hearing will be held on the Debtor's motion for default judgment (docket entry no. 5) on **September 6, 2011 at 2:00 p.m.**, before the Honorable Phillip J. Shefferly, in Courtroom 1975, 211 West Fort Street, Detroit, Michigan 48226.

**IT IS FURTHER ORDERED** that if the Debtor(s) files with the Court on or before **Friday, September 2, 2011** an appraisal, affidavit or other exhibit from someone with personal knowledge setting forth the estimated value of the Debtor's residence, then the Court may enter a default judgment and cancel the hearing. If the Court has not entered a default judgment prior to the date of the scheduled hearing, the hearing will go forward at the scheduled time.

Signed on July 27, 2011

/s/ Phillip J. Shefferly  
Phillip J. Shefferly  
United States Bankruptcy Judge